

November 14, 2002

RE: Mishiwaka Concrete & Asphalt Recycling, Inc 141-16286-03122
TO: Interested Parties / Applicant

FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision - Approval

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office Environmental Adjudication, ISTA Building, 150 W. Market Street, Suite 618, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosures

November 14, 2002

William Loudin
Mishiwaka Concrete and Asphalt Recycling, Inc.
860 South Beiger Street
Mishiwaka, Indiana 46544

Re: 141-16286
Notice-only change to
MSOP 141-13993-03122

Dear William Loudin:

Mishiwaka Concrete and Asphalt Recycling, Inc. was issued an MSOP on July 2, 2001 for a crushed stone processing plant. A letter notifying the Office of Air Quality of a change was received on October 31, 2002. Pursuant to the provisions of 326 IAC 2-6.1-6(d)(1), the permit is hereby revised as follows:

Portions of Condition C.19 had been incorrectly applied. Condition C.19 will be adjusted and updated:

C.19 Relocation of Portable Sources [326 IAC 2-14-4] [326 IAC 2-6.1-6(d)(2)]

- (a) ~~This permit is approved for operation in all areas of Indiana except in severe nonattainment areas for ozone (at the time of this permit's issuance these areas were Lake and Porter Counties). This determination is based on the requirements of Prevention of Significant Deterioration in 326 IAC 2-2 and 40 CFR 52.21, and Emission Offset requirements in 326 IAC 2-3. A thirty (30) day advance notice of relocation must be given to IDEM, OAQ, and a "Relocation Site Approval" letter must be obtained before relocating.~~

This permit is approved for operation in all areas in Indiana.

- (b) **A request to relocate shall be submitted to IDEM, OAQ at least thirty (30) days prior to the intended date of relocation. This submittal shall include the following:**
- (1) **A list of governmental officials entitled to receive notice of application to relocate. IC 13-15-3-1**
 - (2) **A list of adjacent landowners that the Permittee will send written notice to not more than ten (10) days after submission of the request to relocate. IC 13-15-8**

The notification by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) **A "Relocation Site Approval" letter shall be obtained prior to relocating.**

- (bd) The Permittee shall also notify the applicable local air pollution control agency when relocating to, or from, one of the following:

- (1) Madison County - (Anderson Office of Air Management)
 - (2) City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County - (Evansville EPA)
 - (3) City of Gary - (Gary ~~Division of Air Pollution~~ **Department of Environmental Affairs**)
 - (4) City of Hammond - (Hammond Department of Environmental Management)
 - (5) Marion County - (Indianapolis ~~Air Pollution Control Agency~~ **Office of Environmental Services**)
 - (6) St. Joseph County - (St. Joseph County Health Department)
 - (7) Vigo County - (Vigo County Air Pollution Department)
- (e) A valid operation permit consists of this document and any subsequent "Relocation Site Approval" letter specifying the current location of the portable plant.
- ~~(d) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.~~
- ~~(e) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.~~
- ~~(f) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.~~

All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this letter and the following revised permit pages to the front of the original permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Donald R. Poole, at (800) 451-6027, press 0 and ask for Donald Poole or extension 2-8327, or dial (317) 232-8327.

Sincerely,
Original signed by Paul Dubenetzky

Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

Attachments

drp

cc: File - St. Joseph County
U.S. EPA, Region V
St. Joseph County Health Department
Northern Regional Office
Air Compliance Section Inspector - Rick Reynolds
Compliance Data Section - Karen Nowak
Administrative and Development
Technical Support and Modeling - Michele Boner

**NEW SOURCE CONSTRUCTION PERMIT and
MINOR SOURCE OPERATING PERMIT
OFFICE OF AIR QUALITY and
St. JOSEPH COUNTY LOCAL AGENCY**

**Mishawaka Concrete and Asphalt Recycling, Inc.
860 South Beiger Street
Mishawaka, Indiana 46544**

(herein known as the Permittee) is hereby authorized to construct and operate subject to the conditions contained herein, the emission units described in Section A (Source Summary) of this permit.

This permit is issued to the above mentioned company under the provisions of 326 IAC 2-1.1, 326 IAC 2-5.1, 326 IAC 2-6.1 and 40 CFR 52.780, with conditions listed on the attached pages.

Operation Permit No.: MSOP 141-13993-03122	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: July 2, 2001

First Notice Only Change No.: 141-16286	Pages Changed: Page 18
Original signed by Paul Dubenetzky Issued by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: November 14, 2002

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Record Keeping and Reporting Requirements

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SECTION A

SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) and St. Joseph County Local Agency. The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-5.1-3(c)] [326 IAC 2-6.1-4(a)]

The Permittee owns and operates a portable crushed stone operation.

Authorized Individual: William Loudin
Source Address: 860 South Beiger Street, Mishawaka, Indiana 46544
Mailing Address: 860 South Beiger Street, Mishawaka, Indiana 46544
Phone Number: (219) 259-8091
SIC Code: 3299
County Location: St. Joseph
County Status: Attainment for all criteria pollutants
Source Status: Minor Source, under PSD Rules;
Minor Source, Section 112 of the Clean Air Act

A.2 Emissions units and Pollution Control Equipment Summary

This portable source is approved to construct and operate the following emissions units and pollution control devices:

- (a) One (1) open stone loading area, loading nonmetallic mineral stone and recycled concrete and asphalt with a maximum design throughput of 350 tons per hour.
- (b) One (1) 22 cubic yard nonmetallic mineral stone and recycled concrete and asphalt feed hopper / Lipman Jaw primary crusher, with a maximum design throughput of 350 tons per hour, with particulate emissions controlled by a wet suppression water spray system.
- (c) One (1) primary discharge conveyor, with a maximum design throughput of 350 tons per hour.
- (d) One (1) feed conveyor, with a maximum design throughput of 350 tons per hour.
- (e) One (1) two deck screener, with a maximum design throughput of 350 tons per hour, with particulate emissions controlled by a wet suppression water spray system.
- (f) One (1) secondary crusher, with a maximum design throughput of 350 tons per hour, with particulate emissions controlled by a wet suppression water spray system.
- (g) One (1) secondary discharge conveyor, with a maximum design throughput of 350 tons per hour.
- (h) One (1) return conveyor, with a maximum design throughput of 350 tons per hour.
- (i) One (1) stock pile conveyor, with a maximum design throughput of 350 tons per hour.

- (j) One (1) stacker conveyor, with a maximum design throughput of 350 tons per hour.
- (k) One (1) crushed nonmetallic mineral stone and recycled concrete and asphalt storage pile, with a maximum design storage capacity of 2,100 tons, with particulate emissions controlled by a wet suppression water spray system.
- (l) One (1) 5.52 MMBtu/hr normal ignition reciprocating internal combustion diesel fuel oil fired generator.

SECTION B GENERAL CONSTRUCTION CONDITIONS

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2-1.1 AND 40 CFR 52.780, WITH CONDITIONS LISTED BELOW.

B.1 Permit No Defense [IC 13]

This permit to construct does not relieve the Permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.

B.2 Definitions

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, any applicable definitions found in IC 13-11, 326 IAC 1-2, and 326 IAC 2-1.1-1 shall prevail.

B.3 Effective Date of the Permit [IC13-15-5-3]

Pursuant to IC 13-15-5-3, this permit becomes effective upon its issuance.

B.4 Revocation of Permits [326 IAC 2-1.1-9(5)]

Pursuant to 326 IAC 2-1.1-9(5)(Revocation of Permits), the Commissioner may revoke this permit if construction is not commenced within eighteen (18) months after receipt of this approval or if construction is suspended for a continuous period of one (1) year or more.

B.5 Modification to Permit [326 IAC 2]

Notwithstanding the Section B condition entitled "Minor Source Operating Permit", all requirements and conditions of this construction permit shall remain in effect unless modified in a manner consistent with procedures established for modifications of construction permits pursuant to 326 IAC 2 (Permit Review Rules).

B.6 Minor Source Operating Permit [326 IAC 2-6.1]

This document shall also become a minor source operating permit pursuant to 326 IAC 2-6.1 when, prior to start of operation, the following requirements are met:

- (a) The attached Affidavit of Construction shall be submitted to the Office of Air Quality (OAQ), Permit Administration & Development Section.
 - (1) If the Affidavit of Construction verifies that the facilities covered in this Construction Permit were constructed as proposed in the application, then the facilities may begin operating on the date the Affidavit of Construction is postmarked or hand delivered to IDEM.
 - (2) If the Affidavit of Construction does not verify that the facilities covered in this Construction Permit were constructed as proposed in the application, then the Permittee shall receive an Operation Permit Validation Letter from the Chief of the Permit Administration & Development Section prior to beginning operation of the facilities.
- (b) If construction is completed in phases; i.e., the entire construction is not done continuously, a separate affidavit must be submitted for each phase of construction. Any permit conditions associated with operation start up dates such as stack testing for New Source Performance Standards (NSPS) shall be applicable to each individual phase.

- (c) Upon receipt of the Operation Permit Validation Letter from the Chief of the Permit Administration & Development Section, the Permittee shall attach it to this document.
- (d) The operation permit will be subject to annual operating permit fees pursuant to 326 IAC 2-1.1-7(Fees).
- (e) Pursuant to 326 IAC 2-6.1-7, the Permittee shall apply for an operation permit renewal at least ninety (90) days prior to the expiration date established in the validation letter. If IDEM, OAQ, and St. Joseph County Local Agency, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect until the renewal permit has been issued or denied. The operation permit issued shall contain as a minimum the conditions in Section C and Section D of this permit.

B.7 Local Agency Requirement

An application for an operation permit must be made ninety (90) days before start up to:

St. Joseph County Local Agency
St. Joseph County Health Department
Room 914
County City Building
South Bend, IN 46601-1870

The operation permit issued by St. Joseph County Local Agency shall contain as a minimum the conditions in the Operation Conditions section of this permit.

B.8 NSPS Reporting Requirement

Pursuant to the New Source Performance Standards (NSPS), Part 60.670 - 60.676, Subpart OOO, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times:

- (a) Commencement of construction date (no later than 30 days after such date);
- (b) Anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
- (c) Actual start-up date (within 15 days after such date); and
- (d) Date of performance testing (at least 30 days prior to such date), when required by a condition elsewhere in this permit.

Reports are to be sent to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, IN 46206-6015

and

St. Joseph County Local Agency
St. Joseph County Health Department
Room 914
County City Building
South Bend, IN 46601-1870

The application and enforcement of these standards have been delegated to the IDEM, OAQ.
The requirements of 40 CFR Part 60 are also federally enforceable.

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

C.1 Preventive Maintenance Plan [326 IAC 1-6-3]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMP) after issuance of this permit, including the following information on each emissions unit:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions;
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- (b) The Permittee shall implement the Preventive Maintenance Plans as necessary to ensure that failure to implement the Preventive Maintenance Plan does not cause or contribute to a violation of any limitation on emissions or potential to emit.
- (c) PMP's shall be submitted to IDEM, OAQ, and St. Joseph County Local Agency upon request and shall be subject to review and approval by IDEM, OAQ, and St. Joseph County Local Agency. IDEM, OAQ, and St. Joseph County Local Agency may require the Permittee to revise its Preventive Maintenance Plan whenever lack of proper maintenance causes or contributes to any violation.

C.2 Permit Revision [326 IAC 2-5.1-3(e)(3)] [326 IAC 2-6.1-6]

- (a) The Permittee must comply with the requirements of 326 IAC 2-6.1-6 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

St. Joseph County Local Agency
St. Joseph County Health Department
Room 914
County City Building
South Bend, IN 46601-1870

Any such application should be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1.

- (c) The Permittee shall notify the OAQ within thirty (30) calendar days of implementing a notice-only change. [326 IAC 2-6.1-6(d)]

C.3 Inspection and Entry [326 IAC 2-5.1-3(e)(4)(B)] [326 IAC 2-6.1-5(a)(4)]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, and St. Joseph County Local Agency, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a permitted source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under this title or the conditions of this permit or any operating permit revisions;
- (c) Inspect, at reasonable times, any processes, emissions units (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit or any operating permit revisions;
- (d) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

C.4 Transfer of Ownership or Operation [326 IAC 2-6.1-6(d)(3)]

Pursuant to [326 IAC 2-6.1-6(d)(3)] :

- (a) In the event that ownership of this source is changed, the Permittee shall notify IDEM, OAQ, Permits Branch and St. Joseph County Local Agency, within thirty (30) days of the change.
- (b) The written notification shall be sufficient to transfer the permit to the new owner by an notice-only change pursuant to 326 IAC 2-6.1-6(d)(3).
- (c) IDEM, OAQ, and St. Joseph County Local Agency shall issue a revised permit.

The notification which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1.

C.5 Permit Revocation [326 IAC 2-1-9]

Pursuant to 326 IAC 2-1-9(a)(Revocation of Permits), this permit to construct and operate may be revoked for any of the following causes:

- (a) Violation of any conditions of this permit.
- (b) Failure to disclose all the relevant facts, or misrepresentation in obtaining this permit.

- (c) Changes in regulatory requirements that mandate either a temporary or permanent reduction of discharge of contaminants. However, the amendment of appropriate sections of this permit shall not require revocation of this permit.
- (d) Noncompliance with orders issued pursuant to 326 IAC 1-5 (Episode Alert Levels) to reduce emissions during an air pollution episode.
- (e) For any cause which establishes in the judgment of IDEM and St. Joseph County Local Agency, the fact that continuance of this permit is not consistent with purposes of this article.

C.6 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity) monitor in a six (6) hour period.

C.7 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.

C.8 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on February 28, 2001.

Testing Requirements

C.9 Performance Testing [326 IAC 3-6]

- (a) Compliance testing on new emissions units shall be conducted within 60 days after achieving maximum production rate, but no later than 180 days after initial start-up, if specified in Section D of this approval. All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

St. Joseph County Local Agency
St. Joseph County Health Department
Room 914
County City Building
South Bend, IN 46601-1870

no later than thirty-five (35) days prior to the intended test date. The Permittee shall submit a notice of the actual test date to the above address so that it is received at least two weeks prior to the test date.

- (b) All test reports must be received by IDEM, OAQ and St. Joseph County Local Agency within forty-five (45) days after the completion of the testing. An extension may be granted by the IDEM, OAQ, and St. Joseph County Local Agency, if the source submits to IDEM, OAQ, a reasonable written explanation within five (5) days prior to the end of the initial forty-five (45) day period.

The documentation submitted by the Permittee does not require certification by the "authorized individual" as defined by 326 IAC 2-1.1-1.

Compliance Monitoring Requirements

C.10 Compliance Monitoring [326 IAC 2-1.1-11]

Compliance with applicable requirements shall be documented as required by this permit. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. All monitoring and record keeping requirements not already legally required shall be implemented when operation begins.

C.11 Monitoring Methods [326 IAC 3]

Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, or other approved methods as specified in this permit.

C.12 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 1-6]

- (a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. This compliance monitoring plan is comprised of:
- (1) This condition;
 - (2) The Compliance Determination Requirements in Section D of this permit;
 - (3) The Compliance Monitoring Requirements in Section D of this permit;
 - (4) The Record Keeping and Reporting Requirements in Section C (Monitoring Data Availability, General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and
 - (5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAQ and St. Joseph County

Local Agency upon request and shall be subject to review and approval by IDEM, OAQ, and St. Joseph County Local Agency. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of :

- (A) Response steps that will be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and
 - (B) A time schedule for taking such response steps including a schedule for devising additional response steps for situations that may not have been predicted.
- (b) For each compliance monitoring condition of this permit, appropriate response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to perform the actions detailed in the compliance monitoring conditions or failure to take the response steps within the time prescribed in the Compliance Response Plan, shall constitute a violation of the permit unless taking the response steps set forth in the Compliance Response Plan would be unreasonable.
- (c) After investigating the reason for the excursion, the Permittee is excused from taking further response steps for any of the following reasons:
- (1) The monitoring equipment malfunctioned, giving a false reading. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.
 - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied or;
 - (3) An automatic measurement was taken when the process was not operating; or
 - (4) The process has already returned to operating within "normal" parameters and no response steps are required.
- (d) Records shall be kept of all instances in which the compliance related information was not met and of all response steps taken.

Record Keeping and Reporting Requirements

C.13 Malfunctions Report [326 IAC 1-6-2]

Pursuant to 326 IAC 1-6-2 (Records; Notice of Malfunction):

- (a) A record of all malfunctions, including startups or shutdowns of any facility or emission control equipment, which result in violations of applicable air pollution control regulations or applicable emission limitations shall be kept and retained for a period of three (3) years and shall be made available to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) or appointed representative upon request.

- (b) When a malfunction of any facility or emission control equipment occurs which lasts more than one (1) hour, said condition shall be reported to OAQ, using the Malfunction Report Forms (2 pages). Notification shall be made by telephone or facsimile, as soon as practicable, but in no event later than four (4) daytime business hours after the beginning of said occurrence.
- (c) Failure to report a malfunction of any emission control equipment shall constitute a violation of 326 IAC 1-6, and any other applicable rules. Information of the scope and expected duration of the malfunction shall be provided, including the items specified in 326 IAC 1-6-2(a)(1) through (6).
- (d) Malfunction is defined as any sudden, unavoidable failure of any air pollution control equipment, process, or combustion or process equipment to operate in a normal and usual manner. [326 IAC 1-2-39]

C.14 Annual Emission Statement [326 IAC 2-6]

- (a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements:
 - (1) Indicate actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);
 - (2) Indicate actual emissions of other regulated pollutants from the source, for purposes of Part 70 fee assessment.
- (b) The annual emission statement covers the twelve (12) consecutive month time period starting December 1 and ending November 30. The annual emission statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

St. Joseph County Local Agency
St. Joseph County Health Department
Room 914
County City Building
South Bend, IN 46601-1870
- (c) The annual emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and St. Joseph County Local Agency on or before the date it is due.

The submittal by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1.

C.15 Monitoring Data Availability [326 IAC 2-6.1-2] [IC 13-14-1-13]

- (a) With the exception of performance tests conducted in accordance with Section C-Performance Testing, all observations, sampling, maintenance procedures, and record keeping, required as a condition of this permit shall be performed at all times the equipment is operating at normal representative conditions.
- (b) As an alternative to the observations, sampling, maintenance procedures, and record keeping of subsection (a) above, when the equipment listed in Section D of this permit is not operating, the Permittee shall either record the fact that the equipment is shut down or perform the observations, sampling, maintenance procedures, and record keeping that would otherwise be required by this permit.
- (c) If the equipment is operating but abnormal conditions prevail, additional observations and sampling should be taken with a record made of the nature of the abnormality.
- (d) If for reasons beyond its control, the operator fails to make required observations, sampling, maintenance procedures, or record keeping, reasons for this must be recorded.
- (e) At its discretion, IDEM and St. Joseph County Local Agency may excuse such failure providing adequate justification is documented and such failures do not exceed five percent (5%) of the operating time in any quarter.
- (f) Temporary, unscheduled unavailability of staff qualified to perform the required observations, sampling, maintenance procedures, or record keeping shall be considered a valid reason for failure to perform the requirements stated in (a) above.

C.16 General Record Keeping Requirements [326 IAC 2-6.1-2]

- (a) Records of all required monitoring data and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location for a minimum of three (3) years and available upon the request of an IDEM, OAQ, and St. Joseph County Local Agency representative. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or St. Joseph County Local Agency makes a written request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or St. Joseph County Local Agency within a reasonable time.
- (b) Records of required monitoring information shall include, where applicable:
 - (1) The date, place, and time of sampling or measurements;
 - (2) The dates analyses were performed;
 - (3) The company or entity performing the analyses;
 - (4) The analytic techniques or methods used;
 - (5) The results of such analyses; and
 - (6) The operating conditions existing at the time of sampling or measurement.

- (c) Support information shall include, where applicable:
 - (1) Copies of all reports required by this permit;
 - (2) All original strip chart recordings for continuous monitoring instrumentation;
 - (3) All calibration and maintenance records;
 - (4) Records of preventive maintenance shall be sufficient to demonstrate that failure to implement the Preventive Maintenance Plan did not cause or contribute to a violation of any limitation on emissions or potential to emit. To be relied upon subsequent to any such violation, these records may include, but are not limited to: work orders, parts inventories, and operator's standard operating procedures. Records of response steps taken shall indicate whether the response steps were performed in accordance with the Compliance Response Plan required by Section C - Compliance Monitoring Plan - Failure to take Response Steps, of this permit, and whether a deviation from a permit condition was reported. All records shall briefly describe what maintenance and response steps were taken and indicate who performed the tasks.
- (d) All record keeping requirements not already legally required shall be implemented when operation begins.

C.17 General Reporting Requirements [326 IAC 2-1.1-11] [326 IAC 2-6.1-2] [IC 13-14-1-13]

- (a) To affirm that the source has met all the compliance monitoring requirements stated in this permit the source shall submit a Semi-annual Compliance Monitoring Report. Any deviation from the requirements and the date(s) of each deviation must be reported. The Compliance Monitoring Report shall include the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

St. Joseph County Local Agency
St. Joseph County Health Department
Room 914
County City Building
South Bend, IN 46601-1870
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and St. Joseph County Local Agency on or before the date it is due.

- (d) Unless otherwise specified in this permit, any semi-annual report shall be submitted within thirty (30) days of the end of the reporting period. The report does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (e) All instances of deviations must be clearly identified in such reports. A reportable deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit or a rule. It does not include:
 - (1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or
 - (2) A malfunction as described in 326 IAC 1-6-2; or
 - (3) Failure to implement elements of the Preventive Maintenance Plan unless lack of maintenance has caused or contributed to a deviation.
 - (4) Failure to make or record information required by the compliance monitoring provisions of Section D unless such failure exceeds 5% of the required data in any calendar quarter.

A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred or failure to monitor or record the required compliance monitoring is a deviation.
- (f) Any corrective actions or response steps taken as a result of each deviation must be clearly identified in such reports.
- (g) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period.

C.18 Annual Notification [326 IAC 2-6.1-5(a)(5)]

- (a) Annual notification shall be submitted to the Office of Air Quality stating whether or not the source is in operation and in compliance with the terms and conditions contained in this permit.
- (b) Noncompliance with any condition must be specifically identified. If there are any permit conditions or requirements for which the source is not in compliance at any time during the year, the Permittee must provide a narrative description of how the source did or will achieve compliance and the date compliance was, or will be, achieved. The notification must be signed by an authorized individual.
- (c) The annual notice shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in the format attached no later than March 1 of each year to:

Compliance Data Section, Office of Air Quality
Indiana Department of Environmental Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, IN 46206-6015

and

St. Joseph County Local Agency
St. Joseph County Health Department
Room 914
County City Building
South Bend, IN 46601-1870

- (d) The notification shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and St. Joseph County Local Agency on or before the date it is due.

Portable Source Requirement

C.19 Relocation of Portable Sources [326 IAC 2-14-4] [326 IAC 2-6.1-6(d)(2)]

- (a) This permit is approved for operation in all areas in Indiana.
- (b) A request to relocate shall be submitted to IDEM, OAQ at least thirty (30) days prior to the intended date of relocation. This submittal shall include the following:
- (1) A list of governmental officials entitled to receive notice of application to relocate. IC 13-15-3-1
 - (2) A list of adjacent landowners that the Permittee will send written notice to not more than ten (10) days after submission of the request to relocate. IC 13-15-8

The notification by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) A "Relocation Site Approval" letter shall be obtained prior to relocating.
- (d) The Permittee shall also notify the applicable local air pollution control agency when relocating to, or from, one of the following:
- (1) Madison County - (Anderson Office of Air Management)
 - (2) City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County - (Evansville EPA)
 - (3) City of Gary - (Gary Department of Environmental Affairs)
 - (4) City of Hammond - (Hammond Department of Environmental Management)
 - (5) Marion County - (Indianapolis Office of Environmental Services)
 - (6) St. Joseph County - (St. Joseph County Health Department)
 - (7) Vigo County - (Vigo County Air Pollution Department)
- (e) A valid operation permit consists of this document and any subsequent "Relocation Site Approval" letter specifying the current location of the portable plant.

SECTION D.1

EMISSIONS UNIT OPERATION CONDITIONS

- (a) One (1) open stone loading area, loading nonmetallic mineral stone and recycled concrete and asphalt with a maximum design throughput of 350 tons per hour.
- (b) One (1) 22 cubic yard nonmetallic mineral stone and recycled concrete and asphalt feed hopper / Lipman Jaw primary crusher, with a maximum design throughput of 350 tons per hour, with particulate emissions controlled by a wet suppression water spray system.
- (c) One (1) primary discharge conveyor, with a maximum design throughput of 350 tons per hour.
- (d) One (1) feed conveyor, with a maximum design throughput of 350 tons per hour.
- (e) One (1) two deck screener, with a maximum design throughput of 350 tons per hour, with particulate emissions controlled by a wet suppression water spray system.
- (f) One (1) secondary crusher, with a maximum design throughput of 350 tons per hour, with particulate emissions controlled by a wet suppression water spray system.
- (g) One (1) secondary discharge conveyor, with a maximum design throughput of 350 tons per hour.
- (h) One (1) return conveyor, with a maximum design throughput of 350 tons per hour.
- (i) One (1) stock pile conveyor, with a maximum design throughput of 350 tons per hour.
- (j) One (1) stacker conveyor, with a maximum design throughput of 350 tons per hour.
- (k) One (1) crushed nonmetallic mineral stone and recycled concrete and asphalt storage pile, with a maximum design storage capacity of 2,100 tons, with particulate emissions controlled by a wet suppression water spray system.

Emission Limitations and Standards

D.1.1 Particulate Matter (PM) [326 IAC 6-3]

Pursuant to 326 IAC 6-3 (Process Operations), the allowable PM emission rate from the crushed stone operation shall not exceed 64.76 pounds per hour when operating at a process weight rate of 350 tons per hour.

The pounds per hour limitation was calculated with the following equation:

Interpolation and extrapolation of the data for the process weight rate in excess of 60,000 pounds per hour shall be accomplished by use of the equation:

$$E = 55.0 P^{0.11} - 40$$

where E = rate of emission in pounds per hour; and
P = process weight rate in tons per hour

D.1.2 Particulate Matter (PM) [326 IAC 12] [40 CFR 60, Subpart OOO, Section 60.672]

Pursuant to 40 CFR 60, Subpart OOO, Section 60.672, the owner or operator shall on and after the sixtieth day of achieving the maximum production rate but no later than 180 days after initial startup:

- (a) not discharge to the atmosphere, fugitive emissions from the feed hopper / primary crusher and secondary crusher, which exhibit greater than 15% opacity, and fugitive emissions from any conveyor transfer point and any other affected units of the crushed stone operation except truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher, which exhibit greater than 10% opacity; and
- (b) not allow any visible emissions to be discharged from the screening process and the belt conveyors.

Compliance Determination Requirements

D.1.3 Particulate Matter (PM)

The wet suppression system for PM control shall be in operation at all times when the crushed stone process units are in operation.

D.1.4 Testing Requirements [326 IAC 2-1.1-11] [40 CFR 60, Subpart OOO, Section 60.675]

The Permittee is not required to conduct an initial performance test for the screening operation or conveyors of the crushed stone operation, but shall perform an initial performance test for the feed hopper / primary crusher and secondary crusher. Although initial performance tests are not required for the screening operation or conveyors, the IDEM and St. Joseph County Local Agency reserve the right to conduct performance testing of these units or any other applicable units if deemed necessary to determine if the emission units are in compliance. If testing is required by IDEM or St. Joseph County Local Agency, compliance with the particulate matter limits specified in Condition D.1.2 shall be determined by a performance test conducted in accordance with Section C - Performance Testing.

If the source commences processing unsaturated materials, the source shall conduct performance tests for the screening operation, the conveyors, the feed hopper / primary crusher, and the secondary crusher, in accordance with Section C - Performance Testing, to demonstrate compliance with the opacity requirements of Condition D.1.2.

D.1.5 Test Methods and Procedures [326 IAC 12] [40 CFR 60, Subpart OOO, Section 60.675]

Pursuant to 40 CFR 60, Subpart OOO, Section 60.675, the owner or operator shall conduct performance tests, as required in 60.8, utilizing the following methodology, to demonstrate compliance with the standards and requirements of Condition D.1.2:

- (a) Compliance with the feed hopper / primary crusher and secondary crusher fugitive emission limitations of Condition D.1.2(a) shall be determined utilizing Method 9 and the procedures of 60.11, with the following additions:
 - (i) the minimum distance between the observer and the emission source shall be 15 feet.
 - (ii) the observer shall, when possible, select the position that minimizes interference from other fugitive emission sources. The required observer position relative to the sun shall be as specified in Method 9, Section 2.1.
 - (iii) when a water mist is present, the observation of the emissions shall be made at a point in the plume where the mist is no longer present.

If the observer is testing the fugitive emissions from the hopper / primary crusher and secondary crusher, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) provided there are no individual readings greater than 15% opacity with no more than 3 readings of 15% for the 1 hour period.

If at any time, compliance stack testing for the fugitives from the screening operation and/or any conveyor(s) is required, the number of Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) provided there are no individual readings greater than 10% opacity with no more than 3 readings of 10% for the 1 hour period.

- (b) If emissions from two or more facilities continuously interfere with the testing so that the opacity of fugitive emissions from the individual facilities cannot be read, the owner or operator may, as an alternative to the test methods specified in 1.5(a) of this Condition, use the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emission stream for a combined emission stream, or separate the emissions so that the opacity of emissions from each affected facility can be read.
- (c) If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems etc.) in conducting any re-scheduled required performance test, the owner or operator of an affected facility shall submit a notice to the Office of Air Quality at least 7 days prior to any re-scheduled performance test.

Record Keeping and Reporting Requirements [326 IAC 2-5.1-3(e)(2)] [326 IAC 2-6.1-5(a)(2)]

D.1.6 Reporting Requirements [326 IAC 12] [40 CFR 60, Subpart OOO, Section 60.676]

Pursuant to 40 CFR 60, Subpart OOO, Section 60.676, the owner or operator shall:

- (a) submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in Condition D.1.2, including reports of opacity observations using method 9;
- (b) submit a notification to the Office of Air Quality if the source switches from processing saturated materials to processing unsaturated materials, with said notification being submitted within thirty days of the change;
- (c) submit a notification to the Office of Air Quality if the source switches from processing unsaturated materials to processing saturated materials, with said notification being submitted within thirty days of the change;
- (d) not be required to submit a notification of the anticipated date of initial startup of the crushed stone operation as required in 60.7(a)(2) of Subpart A (Condition B.8(b)). In lieu of this requirement, the owner or operator shall submit to the Office of Air Quality, a notification of the actual date of initial startup of the crushed stone operation. Said notification shall be postmarked within 15 days after such date, shall include the home office and the current address or location of the plant, and, for each crusher, screen, hopper, and conveyor,
 - (i) a description of the unit,
 - (ii) the manufacturer, and
 - (iii) the serial number of the unit if available.

The reporting requirements of this condition shall remain in effect until and unless the US EPA, in delegating enforcement authority to the Office of Air Quality under Section 111(c) of the Act, approves reporting requirements or alternative means of compliance surveillance adopted by the Office of Air Quality. In that event, the owner or operator of the crushed stone operation shall be relieved of the obligation to comply with the reporting requirements of this Condition provided that compliance with the reporting requirements established by the state are met.

SECTION D.2

EMISSIONS UNIT OPERATION CONDITIONS

One (1) 5.52 MMBtu/hr normal ignition reciprocating internal combustion diesel fuel oil fired generator.

There are no standards or requirements that apply to the diesel generator.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION
ST. JOSEPH COUNTY LOCAL AGENCY**

**MINOR SOURCE OPERATING PERMIT
ANNUAL NOTIFICATION**

This form should be used to comply with the notification requirements under 326 IAC 2-6.1-5(a)(5).

Company Name:	Mishawaka Concrete and Asphalt Recycling, Inc.
Address:	860 Beiger Street
City:	Mishawaka, Indiana 46544
Phone #:	
MSOP #:	141-13993-03122

I hereby certify that the crushed stone operation is ☒ still in operation. ☐ no longer in operation.

I hereby certify that the crushed stone operation is ☒ in compliance with the requirements of 141-13993-03122.
☐ not in compliance with the requirements of 141-13993-03122.

Authorized Individual (typed):
Title:
Signature:
Date:

If there are any conditions or requirements for which the source is not in compliance, provide a narrative description of how the source did or will achieve compliance and the date compliance was, or will be achieved.

Noncompliance:

MALFUNCTION REPORT

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
FAX NUMBER - 317 233-5967**

This form should only be used to report malfunctions applicable to Rule 326 IAC 1-6
and to qualify for the exemption under 326 IAC 1-6-4.

THIS FACILITY MEETS THE APPLICABILITY REQUIREMENTS BECAUSE IT HAS POTENTIAL TO EMIT 25 TONS/YEAR PARTICULATE MATTER ?_____, 25 TONS/YEAR SULFUR DIOXIDE ?_____, 25 TONS/YEAR NITROGEN OXIDES?_____, 25 TONS/YEAR VOC ?_____, 25 TONS/YEAR HYDROGEN SULFIDE ?_____, 25 TONS/YEAR TOTAL REDUCED SULFUR ?_____, 25 TONS/YEAR REDUCED SULFUR COMPOUNDS ?_____, 25 TONS/YEAR FLUORIDES ?_____, 100TONS/YEAR CARBON MONOXIDE ?_____, 10 TONS/YEAR ANY SINGLE HAZARDOUS AIR POLLUTANT ?_____, 25 TONS/YEAR ANY COMBINATION HAZARDOUS AIR POLLUTANT ?_____, 1 TON/YEAR LEAD OR LEAD COMPOUNDS MEASURED AS ELEMENTAL LEAD ?_____, OR IS A SOURCE LISTED UNDER 326 IAC 2-5.1-3(2) ?_____. EMISSIONS FROM MALFUNCTIONING CONTROL EQUIPMENT OR PROCESS EQUIPMENT CAUSED EMISSIONS IN EXCESS OF APPLICABLE LIMITATION _____.

THIS MALFUNCTION RESULTED IN A VIOLATION OF: 326 IAC _____ OR, PERMIT CONDITION # _____ AND/OR PERMIT LIMIT OF _____

THIS INCIDENT MEETS THE DEFINITION OF 'MALFUNCTION' AS LISTED ON REVERSE SIDE ? Y N

THIS MALFUNCTION IS OR WILL BE LONGER THAN THE ONE (1) HOUR REPORTING REQUIREMENT ? Y N

COMPANY: _____ PHONE NO. () _____
LOCATION: (CITY AND COUNTY) _____
PERMIT NO. _____ AFS PLANT ID: _____ AFS POINT ID: _____ INSP: _____
CONTROL/PROCESS DEVICE WHICH MALFUNCTIONED AND REASON: _____

DATE/TIME MALFUNCTION STARTED: ____/____/19 _____ AM / PM

ESTIMATED HOURS OF OPERATION WITH MALFUNCTION CONDITION: _____

DATE/TIME CONTROL EQUIPMENT BACK-IN SERVICE ____/____/19 _____ AM/PM

TYPE OF POLLUTANTS EMITTED: TSP, PM-10, SO2, VOC, OTHER: _____

ESTIMATED AMOUNT OF POLLUTANT EMITTED DURING MALFUNCTION: _____

MEASURES TAKEN TO MINIMIZE EMISSIONS: _____

REASONS WHY FACILITY CANNOT BE SHUTDOWN DURING REPAIRS:

CONTINUED OPERATION REQUIRED TO PROVIDE ESSENTIAL* SERVICES: _____
CONTINUED OPERATION NECESSARY TO PREVENT INJURY TO PERSONS: _____
CONTINUED OPERATION NECESSARY TO PREVENT SEVERE DAMAGE TO EQUIPMENT: _____
INTERIM CONTROL MEASURES: (IF APPLICABLE) _____

MALFUNCTION REPORTED BY: _____ TITLE: _____
(SIGNATURE IF FAXED)

MALFUNCTION RECORDED BY: _____ DATE: _____ TIME: _____

*SEE PAGE 2

Please note - This form should only be used to report malfunctions applicable to Rule 326 IAC 1-6 and to qualify for the exemption under 326 IAC 1-6-4.

326 IAC 1-6-1 Applicability of rule

Sec. 1. This rule applies to the owner or operator of any facility required to obtain a permit under 326 IAC 2-5.1 or 326 IAC 2-6.1.

326 IAC 1-2-39 "Malfunction" definition

Sec. 39. Any sudden, unavoidable failure of any air pollution control equipment, process, or combustion or process equipment to operate in a normal and usual manner.

***Essential services** are interpreted to mean those operations, such as, the providing of electricity by power plants. Continued operation solely for the economic benefit of the owner or operator shall not be sufficient reason why a facility cannot be shutdown during a control equipment shutdown.

If this item is checked on the front, please explain rationale:
